

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**NATHAN HARVEY and NICK  
DEPROSPO**, on behalf of themselves and all  
others similarly situated,

Plaintiffs,

v.

**NATIONAL AMUSEMENTS INC. d/b/a  
SHOWCASE CINEMAS**,

Defendant.

No. 1:24-cv-10027-GAO

**PLAINTIFFS' AMENDED NOTICE OF APPEAL**

Notice is hereby given that Plaintiffs, Nathan Harvey and Nick Deprospos, hereby amend the Notice of Appeal originally filed on April 28, 2025.

This Amended Notice of Appeal is taken to the United States Court of Appeals for the First Circuit from:

1. The judgment entered by the Court on March 27, 2025 (ECF Nos. 40 and 41), and all prior orders subsumed therein; and
2. The Electronic Order entered on July 16, 2025 (ECF No. 42) by the Honorable George A. O'Toole, Jr., denying Plaintiffs' Rule 59(e) Motion to Clarify and Rule 15(a) Motion for Leave to Amend, and reaffirming the dismissal with prejudice of Plaintiffs' claims.

This amendment is made to ensure that the appeal encompasses the Court's July 16, 2025 order in addition to the March 27, 2025 judgment.

Dated: August 15, 2025

Respectfully submitted,

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Pro Hac Vice\**

**CERTIFICATE OF SERVICE**

I, Cassandra P. Miller, hereby certify that on August 15, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel of record, below, via the ECF system.

DATED this 15th day of August, 2025.

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